

# NEWS AND NOTES FOR FLORIDA VETERANS

Veterans Service Center, VA Regional Office  
St. Petersburg, FL

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The "News and Notes for Florida Veterans" is published monthly by the Veterans Service Center, VA Regional Office, St. Petersburg, Florida, to provide information on VA benefit programs to veterans and dependents in Florida. The material presented does not have the effect of laws or regulations. Please send questions or comments on this newsletter to Veterans Service Center, ATTN: "News and Notes," PO Box 1437, St. Petersburg, FL 33731. We do not have the resources to maintain a mailing list for distribution to individuals; however this newsletter is available on the St. Petersburg VA Regional Office web site at [www.vba.va.gov/ro/south/spete](http://www.vba.va.gov/ro/south/spete).

**ZEPHYRHILLS VA CLINIC** The Zephyrhills VA Outpatient Clinic is converting to a VA Staff Clinic. A new clinic space is well underway and nearing completion. The last day of business at the clinic's former location was February 3, 2006. Beginning February 6, 2006 the clinic is temporarily located at the James A. Haley VA Medical Center in Tampa. Zephyrhills VA Outpatient Clinic patients seeking information about appointments, or wishing to speak to a nurse, or needing to contact a pharmacist about medication should call 1-888-811-0107.

**SO WHY DOES VA KEEP SENDING LETTERS ASKING FOR EVIDENCE?** On November 9, 2000, the President signed into law Public Law 106-475, the "Veterans Claims Assistance Act of 2000" (VCAA). This law redefined VA's duty to assist claimants. The statute requires that VA notify the claimant and the claimant's representative, if any, of any information or evidence including medical and lay evidence, that is necessary to substantiate the claim; what information or evidence the claimant is to submit to VA; and what evidence VA is going to attempt to obtain on the claimant's behalf. That notice must be in writing and must request that the claimant give VA information needed to help obtain supporting evidence. The notice must also inform the claimant that if he/she does not respond to the request for information within 60 days, VA may decide the claim based on all the information and evidence in the file, and that he/she has one year to submit any evidence or information to substantiate the claim. A "VCAA Notice Response" is attached for the claimant to use to notify VA that he or she does not have any additional evidence to submit and to not wait 60 days before processing the claim.

Prior decisions of the U.S. Court of Appeals for Veterans Claims (CAVC or Court) and the U.S. Court of Appeals for the Federal Circuit have held that a service-connection claim consists of the following five elements: (1) veteran status; (2) existence of a disability; (3) a connection between the veteran's service and the disability; (4) degree of disability; and (5) effective date of the disability. The VCAA notice letters sent in compliance with the VCAA did not provide the notice as to the procedures for determining elements (4) and (5).

On March 3, 2006, CAVC issued a decision in the case of *Dingess/Hartman v. Nicholson* (2006). The decision created additional notice requirements for VA in processing disability compensation claims. Specifically, the Court held that the law requires (1) notice to a claimant of how a VA service connection claim may be substantiated as to all five elements of that claim; and (2) that certain standards apply for the timing and content of that notice.

As a result of *Dingess/Hartman v. Nicholson*, on the weekends of March 18 and March 25, 2006, VA sent letters to all veterans with disability compensation claims pending. The letters provide claimants with information concerning how VA assigns a disability evaluation and how an effective date is determined when a claim is granted. The letter advises claimants that they have one year from the date of that letter to submit any additional evidence. The letter also states that VA may decide the claim prior to the one-year period mentioned in the letter, but that they will continue to have the full year within which to submit additional evidence. If the veteran has no additional evidence to submit, the Hines notice provides the veteran with an opportunity to return a modified "VCAA Notice Response" that is enclosed with the letter.

**Question:** I don't understand what this letter is asking me to do or what it is about. Can you tell me? **Answer:** This letter was sent to you because of a recent Court decision. In this decision, the Court told VA that before we make a decision on a claim, we must give you information about how we determine the amount of compensation you are going to receive and when we are going to start paying you.

**Question:** Is this going to delay my claim (any further)? **Answer:** No. This letter only provides additional information.

**Question:** Do I need to respond to this letter if I don't have anything else? **Answer:** No. You are not required to return the document mentioned in the letter. VA will process your claim on the information we have. If you do return the document, it does let us know you do not have any additional information to give us.

**NEW NATIONAL CEMETERY UPDATE** (VA News Release March 14, 2006) WASHINGTON – Department of Veterans Affairs (VA) unveiled a model for the new VA cemetery near West Palm Beach and announced the facility would be called the “South Florida National Cemetery.” The 313-acre cemetery, in Lake Worth on U.S. 441, is expected to open for burial in the winter of 2006-07. More than 350,000 veterans live within the area it will serve.

VA expects to award a construction contract and begin initial construction this spring. The initial construction will include modular buildings for administrative and maintenance operations, and a small burial area of eight acres for immediate use. The complete Phase I design calls for developing approximately 65 acres that will provide 23,000 gravesites for casket interments, most of which will be pre-placed crypts; a 15,000-niche columbarium and 3,100 in-ground sites for cremation burials; and a garden for scattering cremated remains. Additional Phase 1 developments include an entrance area, flag and assembly area, committal service shelters, public information center with restrooms, administration and maintenance complex; roads, utilities signage, fencing and landscaping.

Florida’s other four national cemeteries are Barrancas in Pensacola, Florida in Bushnell, St. Augustine and Bay Pines. The Barrancas and Florida national cemeteries have space available for casketed and cremated remains. Bay Pines has space available for cremated remains and can accommodate casketed remains in the gravesites of previously interred family members. St. Augustine is closed to new interments, but can bury family members in existing gravesites.

In addition to the South Florida National Cemetery, VA is planning future national cemeteries in the Jacksonville and Sarasota areas. Veterans with a discharge other than dishonorable, their spouses and eligible dependent children can be buried in a national cemetery. Other burial benefits include a burial flag, Presidential Memorial Certificate and government headstone or marker – even if they are not buried in a national cemetery.

In the midst of the largest cemetery expansion since the Civil War, VA operates 122 national cemeteries in 39 states and Puerto Rico, and 33 soldiers' lots and monument sites. More than three million Americans, including veterans of every war and conflict — from the Revolutionary War to the current global war on terror — are buried in VA’s national cemeteries on more than 14,200 acres of land.

For information on the South Florida National Cemetery, call the cemetery office at 561-422-2318.

#### **IMPORTANT DATES IN APRIL**

**April 6** last day to input change of address or establish direct deposit on compensation and pension awards in time for the 05-01-2006 payments

**April 20** last day to change or cancel direct deposit on compensation or pension awards in time for the 05-01-2006 payments

#### **VA FACILITIES ADDRESSES AND TELEPHONE NUMBERS:**

**VA Regional Office, St. Petersburg** - PO Box 1437, St. Petersburg, FL 33731 **1-800-827-1000**

**Regional Processing Office, Atlanta, GA** (education claims) - PO Box 100022, Decatur, GA 30031-7022 **1-888-GIBILL1 (442-4551)**

Telephone number for Chapter 30 self-verifications **1-877-823-2378**

**Veterans Health Administration Toll-Free Hotline** (medical care) - **1-877-222-8387**

**VA EFT Information Hotline** (electronic funds transfer - direct deposit) **1-877-838-2778**

**VA Insurance Center, Philadelphia** (VA Insurance) - PO Box 42954, Philadelphia, PA 19101 **1-800-669-8477**

**VA Health Administration Center** (CHAMPVA and Spina Bifida health care) -  
CHAMPVA inquiries: PO Box 65023, Denver, CO 80206-5023  
CHAMPVA claims: PO Box 65024, Denver, CO 80206-5024  
Spina Bifida inquiries and claims: PO Box 65025, Denver, CO 80206-5025 **1-800-733-8387**

**Foreign Medical Program Office** (medical treatment abroad) -  
PO Box 65021, Denver, CO 80206-5021 **303-331-7590**

#### **National Cemeteries**

10,000 Bay Pines Blvd N, Bay Pines FL **727-398-9426**  
6502 SW 102nd Ave, Bushnell FL 33513 **352-793-7740**  
Naval Air Station, Pensacola FL **850-453-4108/4846**

**National Cemetery Administration Office of Memorial Programs** (headstones and markers) - 810 Vermont Ave NW, Washington, DC 20420 **1-800-697-6947**

**Loan Guaranty Eligibility Center** (certificates of eligibility) PO Box 20729, Winston-Salem, NC 27120 **1-888-244-6711**

**Telecommunications Device for the Deaf (TDD) Unit** - Chicago VA Regional Office **1-800-829-4833**

#### **INTERNET SITES OF INTEREST:**

VA Web Site: **www.va.gov**

VA Forms: **www.va.gov/vaforms**

VA Web Automated Reference Materials System (WARMS) **www.warms.vba.va.gov**

Property Management (sale of VA-repossessed homes): **www.ocwen.com**

Florida Dept of Veterans Affairs: **www.floridavets.org**

St. Pete Regional Office: **www.vba.va.gov/ro/south/spete**